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**RECEIVED AND FILED
WITH THE
N.J. BOARD OF DENTISTRY
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By: Jodi C. Krugman
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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF DENTISTRY

IN THE MATTER OF THE SUSPENSION
OR REVOCATION OF THE LICENSE OF

CHARLOTTE LEE, D.M.D.
License No. DI 15761

TO PRACTICE DENTISTRY
IN THE STATE OF NEW JERSEY

Administrative Action

CONSENT ORDER

CERTIFIED TRUE COPY

This matter was opened to the New Jersey State Board of Dentistry (hereinafter "the Board") upon receipt of information that: Dr. Charlotte Lee (hereinafter "respondent") misrepresented the dates of service on insurance forms, failed to keep proper records, and violated the terms of a prior consent order entered with the Board. Specifically, it has been alleged that with respect to patient T.P., Dr. Lee submitted an insurance claim form which listed treatment dates that did not accurately reflect the date that treatment was rendered, in violation of a prior consent order signed with the Board, and failed to keep proper records, including a failure to indicate the type of local anesthesia used for dental

procedures. On February 18, 1998, respondent appeared with counsel, John Paul Dizzia, Esq., at an investigative inquiry into the matter held by the Board.

Having reviewed the entire record, including the testimony of respondent at the investigative inquiry, it appears to the Board that in connection with patient T.P., respondent's treatment records reflect that on December 11, 1996, she performed an exam, four bitewings, prophylaxis and full mouth scaling and root planing. However, on the insurance claim form, the exam, four bitewings and prophylaxis were listed as having dates of service of December 11, 1996, and the scaling and root planing were separately listed by quadrant, with dates of service of December 13, 14, 16 and 17, 1996. At the investigative inquiry, respondent admitted that she signed insurance claim forms that were inaccurate, and did not correctly indicate the dates that treatment was rendered to the patient. Respondent had signed a prior consent order, which was entered by the Board on December 7, 1995. As part of that consent order, respondent was ordered and agreed to cease and desist from any and all misrepresentations in connection with the submission of insurance claims, including treatment dates which do not reflect accurately the date when the service or procedure was actually completed. Thus, respondent's failure to accurately indicate the treatment dates for T.P. is a violation of N.J.A.C. 13:30-8.10(b) and also a violation of the prior consent order, subjecting respondent to enhanced penalties. In addition, respondent's treatment records were inadequate, including a failure to list the type of local anesthetic used on multiple patients, in violation of N.J.A.C. 13:30-8.7(a).

These facts establish basis for disciplinary action pursuant to N.J.S.A. 45:1-21(b), (e) and (h). It appearing that respondent desires to resolve this matter without recourse to formal proceedings and for good cause shown:

IT IS ON THIS 18th DAY OF July 2001,
HEREBY ORDERED AND AGREED THAT:

1. Respondent's license to practice dentistry shall be and hereby is suspended for a period of three years, two months of which shall be served as a period of active suspension, the remainder of which shall be stayed and served as a period of probation. The suspension shall commence on September 1, 2001.

2. Respondent is hereby assessed civil penalties, pursuant to N.J.S.A. 45:1-22 and -25 in the amount of \$10,000. In payment of the civil penalties, respondent shall make eighteen monthly payments of \$555.56 per payment. The first payment shall be due by December 1, 2001 and subsequent payments shall continue to be due by the first of each month until all eighteen payments are completed. In the event that respondent does not make a timely payment, the full balance will immediately become due. Payment of the civil penalties shall be submitted by certified check or money order made payable to the State of New Jersey and shall be sent to Kevin B. Earle, Executive Director, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07101. Subsequent violations will subject respondent to enhanced penalties pursuant to N.J.S.A. 45:1-25.

3. Respondent is hereby assessed the costs of the investigation to the State in this matter in the amount of \$1,347.26. Payment for the costs shall be submitted by certified check or money order made payable to the State of New Jersey and submitted to the Board no later than thirty days from the entry of this Consent Order. Payment shall be sent to Kevin B. Earle, Executive Director, at the address described in paragraph #2.

4. Failure to remit any payment as required by this Order will result in the filing of a certificate of debt.

5. Respondent shall be subject to continuing audits of her records. The expense of these audits shall be borne solely by respondent.

NEW JERSEY STATE BOARD OF DENTISTRY

By: Barbara Rich, D.D.S.
Barbara Rich, D.D.S.
Board President

I have read and understand the within
Consent Order and agree to be bound
by its terms. Consent is hereby given
to the Board to enter this Order.

Charlotte O. Lee
Charlotte Lee, D.M.D.

Consent as to the form of the Order
is hereby given.

Pamela Mandel, Esq.
Pamela Mandel, Esq.
Counsel for Respondent